

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNIVERSAL TRADING & INVESTMENT
12 COMPANY,

No. C-99-3073 MMC (EDL)

13 Plaintiff,

**ORDER DENYING PLAINTIFF'S
OBJECTIONS TO MAGISTRATE
JUDGE'S REPORT AND
RECOMMENDATION ON TAXATION OF
COSTS; AWARDING COSTS TO
KIRITCHENKO DEFENDANTS AND
DEFENDANT MICHAEL MENKO;
VACATING HEARING**

14 v.
15 PETRO MIKOLAYEVICH KIRITCHENKO,
et al.,

16 Defendants

17 /
18 Before the Court are plaintiff Universal Trading & Investment Company's objections
19 to Magistrate Judge Elizabeth D. Laporte's Report and Recommendation regarding taxation
20 of costs. Defendants Peter, Izabella, and Ludmilla Kiritchenko, Bancross U.S. Holdings,
21 Inc., BRC Property Holdings, LLC, Xanadu Property Holdings, LLC, and ABS Trading, Inc.
22 (collectively, "Kiritchenko Defendants") have filed opposition thereto, in which defendant
23 Michael Menko ("Menko") has joined and to which plaintiff has replied. Having reviewed
24 the papers filed in support of and in opposition to the objections, the Court finds the matter
25 appropriate for resolution without oral argument, see Civil L.R. 7-1(b), hereby VACATES
26 the hearing scheduled for May 23, 2008, and rules as follows.

27 Having reviewed the matter de novo, the Court, for the reasons expressed in the
28 Report and Recommendation, hereby ADOPTS the Report and Recommendation in its

1 entirety and overrules plaintiff's objections thereto. Accordingly, the Court hereby awards
2 costs as follows:

- 3 1. The Kiritchenko Defendants are hereby awarded costs in the amount of
4 \$51,669.02, for costs itemized in the Kiritchenko Defendants' revised bill of costs filed
5 March 24, 2008.
- 6 2. Defendant Menko is hereby awarded costs in the amount of \$3,366.04, for costs
7 itemized in Menko's revised bill of costs filed March 24, 2008.

8 **IT IS SO ORDERED.**

9 Dated: May 21, 2008


MAXINE M. CHESNEY
United States District Judge

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28